

REMARKS

Claims 4, 6-9, 11-13, 15 and 16 are pending in this application. Of these pending claims, Claims 4, 6-9, 11-13, 15 and 16 stand rejected.

The following remarks are believed to be fully responsive to the outstanding office action, and are believed to place the application in condition for allowance.

Nonstatutory Double Patenting Rejection

Claims 4, 6-9, 11-13, 15 and 16 stand rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-23 of U.S. Patent No. 7,153,539. In order to expedite the prosecution of the present application, Applicants are enclosing herewith a Terminal Disclaimer and the appropriate fee in order to overcome this rejection. Accordingly, Applicants respectfully request withdrawal of this rejection.

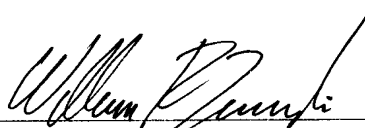
Claims 4, 6-9, 11-13, 15 and 16 stand provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 3-6 of copending Application No. 10/602,134. Prosecution of copending Application No. 10/602,134 has been discontinued. As such, Applicants do not believe that it is necessary to file a Terminal Disclaimer in order to overcome this provisional obviousness-type double patenting rejection. Accordingly, Applicants respectfully request withdrawal of this rejection.

CONCLUSION

It is respectfully submitted that, in view of the above remarks, this application is now in condition for allowance, prompt notice of which is earnestly solicited.

The Examiner is invited to call the undersigned in the event that a telephone interview will expedite prosecution of the application towards allowance or reduction of the issues.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'William R. Zimmerli', is written over a horizontal line.

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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.